



Kyle S. Kushner

Associate

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Kyle S. Kushner concentrates his practice in construction litigation and government enforcement defense.

Mr. Kushner is an associate in Baker Donelson's Baltimore office and a member of the Firm's Construction and Government Enforcement and Investigations Groups.

Mr. Kushner has extensive experience representing clients in courtrooms throughout Maryland and Virginia, including disputes over the prosecution and defense of mechanic's liens. He represents owners and subcontractors on private and public construction projects, and also provides general litigation, mediation, and arbitration representation.

Mr. Kushner has also represented financial services professionals and companies before various regulators, including the Securities and Exchange Commission, the Financial Industry Regulatory Authority, and the Securities Division of the Office of the Attorney General of Maryland. He has worked to persuade these regulators not to bring claims before allegations are ever made public, including allegations of disclosure irregularities, registration violations, and financial fraud. In private litigation, Mr. Kushner has prosecuted and defended claims involving the migration of financial services professionals between firms.

Maryland Super Lawyers named Mr. Kushner a Maryland Rising Star in the publication's 2019 edition.

Representative Matters

- Secured a defense verdict, as first-chair trial counsel, on behalf of a national distributor of motor vehicles that included an award of a significant percentage of the client's attorneys' fees.
- Secured a defense verdict, as first-chair trial counsel, on behalf of a national manufacturer of electronics in a products liability matter.
- Secured a favorable verdict, as first-chair trial counsel, on behalf of a national manufacturer of motor vehicles that greatly reduced the client's exposure from the amounts demanded in the pleading.
- Obtained, in favor of a Maryland insurer, judgment against multiple parties in advance of trial for their failure to participate in the civil discovery process.
- Obtained, as a member of a multi-attorney team, affirmative partial summary judgment on behalf of an international technology company on claims of copyright infringement and misappropriation of trade secrets involving computer source code.
- Obtained, on behalf of a national manufacturer of motor vehicles, dismissal of all products liability claims in advance of trial due to discovery violations.
- Obtained, as a member of a multi-attorney team, orders to withdrawal the reference of bankruptcy non-dischargeability claims and to lift the bankruptcy stay of district court litigation to permit all matters to be determined in one trial, after which the matter settled on favorable terms.

Professional Honors & Activities

- Listed as a Maryland Rising Star in *Maryland Super Lawyers*, Civil Litigation (2019)
- Extern – Honorable Susan K. Gauvey, U.S. District Court for the District of Maryland
- Extern – Honorable Alexander Wright Jr., Court of Special Appeals
- Participant – Securities and Exchange Commission's Student Honors Program (Fall 2014)



Publications

- "COVID-19 Compliance in the Construction Industry," *Building Baltimore Magazine* (Fall 2020)
- "Fair Pricing in Times of Need: Price Gouging Controls Expanded at Federal and State Levels in Response to COVID-19" (April 6, 2020)
- "Securities Insider Trading Cases Get a Prosecutorial Boost" (January 2020)



Education

- University of Baltimore School of Law, J.D., 2015, summa cum laude
 - *University of Baltimore Law Review*, Executive Board 2014 – 2015; Staff 2013 – 2014
- University of South Carolina, B.A., 2012, magna cum laude



Admissions

- Maryland, 2015
- U.S. District Court for the District of Maryland
- Virginia, 2016
- U.S. District Court for the Eastern District of Virginia